

## *Sukkah Building Laws in the Mishna*

### *SIZE AND AGE REQUIREMENTS*

#### מסכת סוכה

#### פרק א'

א סִכָּה שֶׁהִיא גְבוּהָה לְמַעַלָּה מִעֲשָׂרִים  
אַמָּה, פְּסוּלָה. רַבִּי יְהוּדָה מִכְשִׁיר.  
וְשֵׁאִינָה גְבוּהָה עֲשָׂרָה מַפָּחִים, וְשֵׁאִין לָהּ  
שָׁלֹשׁ דְּפָנוֹת, וְשַׁחֲמָתָה מְרַבָּה מִצִּלָּתָהּ.  
פְּסוּלָה.

סִכָּה יִשְׁנָה, בֵּית שְׁמַאי פּוֹסְלִין, וּבֵית  
הֵלֵל מִכְשִׁירִין. וְאִיזוֹ הִיא סִכָּה יִשְׁנָה, כָּל  
שֶׁעָשְׂתָה קֹדֶם לְחַג שְׁלֹשִׁים יוֹם. אֲכֹל אִם  
עָשְׂתָה לְשֵׁם חַג, אֶפְלוּ מִתְחִלַת הַשָּׁנָה.  
כְּשֶׁרָחָה:

1 A Sukkah that is taller than 20 *amot*\*\* is unfit. Rabbi Yehuda declares it fit. And if it is not as high as 10 *t'fahim*\*\*, or if it does not have 3 walls, or if its light is greater than its shade, it is unfit.

For an old sukkah, the School of Shammai declares it unfit, but the School of Hillel declares it fit. And what is an “old sukkah?” Any that was made 30 or more days before Sukkot. However, if it was made in the name of Sukkot, even from the beginning of the year, it is fit.

1) Read the footnote below and then use a ruler to take measurements of an *amah* and a *tefah* for you and your partner. What did you find out? Why would this method of measurement be problematic? How do you think the Rabbis overcame it?

Measured literally, and *amah* and *tefah* is different for each person, so there would be no standard measurement. This problem was solved by the Rabbis by establishing a standard measure for these two measures of length.

An *amah* is the distanced from elbow to tip of the middle finger. A *tefah* is a handbreadth, from end of thumb to end of pinkie finger, with the hand outstretched.

2) Why would the height of the sukkah be an important characteristic to make a rule about? What would “too tall” or “too short” mean for the structure?

Height is important because it impacts on two factors: 1) livability. If the sukkah is too short, it would be impossible to make it into your dwelling place for Sukkot. You would be able to sleep in a short sukkah, but eating meals would be very difficult. If a sukkah is too tall, one would not be able to see through the *s'khakh* to the sky/stars. Also, it would take some very sturdy building to make a sukkah very tall and the sukkah is supposed to be temporary in nature.

3) There is one very brief rule about the *s'khakh* that is mentioned here, but it is VERY important. What is it?

The shade provided by the *s'khakh* must be greater than the light.

4) Why would the age of the sukkah affect whether or not it is fit/kosher or unfit for use? Think about which part of the sukkah actually makes a structure a sukkah.

There are two reasons why the age of a sukkah would make a difference:

- 1) A sukkah needs to have been built with the festival of Sukkot in mind. One is not allowed to use a tent/booth that was built for one thing and then roof it with *s'khakh* and call it a sukkah for Sukkot. A sukkah built a long time before the festival may very well have NOT been built with Sukkot in mind and that would be improper according to this mishna. However, if it was built with Sukkot in mind, then it is a kosher Sukkah.
- 2) The other issue is that an old sukkah would not be pleasant to sit in/look at. Even though it is not a sturdy structure, one is supposed to be able to enjoy the sukkah. Old *s'khakh* will be wilting and turning brown with leaves falling off. The walls may be weathered by wind, sun, or rain...etc. Using an old sukkah would not add to the enjoyment of the festival, as it is supposed to.

## SUKKAH COVERING & WALLS

## סִכּוֹךְ וְדִפְנוֹת

2 One who makes his sukkah under a tree, it is as if he made it inside the house. When a sukkah is on top of a sukkah, the upper one is kosher and the lower one is unfit. Rabbi Yehuda says, if no one is living in the upper one, the lower one is kosher.

ב הַעוֹשֶׂה סִכּוֹתוֹ תַּחַת הָאֵילָן, כְּאִילוֹ  
עָשָׂאָהּ בְּתוֹךְ הַבַּיִת. סִכּוֹתָהּ עַל גִּבִּי סִכּוֹתָהּ,  
הָעֲלִיוֹנָה כְּשֶׁרָחָה, וְהַתַּחְתּוֹנָה פְּסוּלָה. רַבִּי  
יְהוּדָה אוֹמֵר, אִם אֵין דִּיּוֹרִין בְּעֲלִיוֹנָה,  
הַתַּחְתּוֹנָה כְּשֶׁרָחָה:

- 1) Why would building the sukkah under a tree make it equivalent to it being inside a house and, therefore, not kosher for use on Sukkot?

The *s'khakh* is supposed to be the ONLY roofing covering a sukkah. If overhanging branches are over the sukkah, then the *s'khakh* is not serving as the roofing to the sukkah.

- 2) Can you imagine a situation where two sukkot are built one on top of the other? (Try not to read the mishna literally, i.e. when might a sukkah be directly above another one?).

Sukkot built on apartment building balconies could easily be built one on top of the other if the balconies are not offset the way they are on apartment buildings in Israel. What makes a sukkah under another sukkah unkosher is that the *s'khakh* of the bottom sukkah would not be open to the sky.

3 If one spread a sheet over it because of the sun or under it because of falling leaves, or spread a sheet across the four posts of a bed, it is invalid. However, one may spread a sheet over the cross bar of a two-post bed.

ג פֶּרֶם עָלֶיהָ סָדִין מִפְּנֵי הַחֶמֶת, אוֹ  
תַּחְתֶּיהָ מִפְּנֵי הַנֶּשֶׁךְ, אוֹ שֶׁפֶּרֶם עַל גִּבִּי  
הַקִּינוֹת, פְּסוּלָה. אֲבָל פּוֹרֵם הוּא עַל גִּבִּי  
נִקְלָטִי הַמָּטָה:

5 Bundles of straw, bundles of wood, and bundles of brushwood must not be used for sukkah covering. Any that were untied are valid. All are fit to be used as walls.

ה חבילי קש וחבילי עצים וחבילי ירדיו,  
אין מסבכין בהן. ובלן שהתירן, פשרות.  
ובלן פשרות לדפנות:

6 One may cover with wood planks, according to Rabbi Yehuda. Rabbi Meir forbids it. If a board four *t'fahim* wide was placed over it, it is valid, but one may not sleep under it.

ו מסבכין בנסרים, דברי רבי יהודה.  
ורבי מאיר אוסר. נתן עליה נסר שהוא  
רחב ארבעה מפרחים, פשרה, ובלבד  
שלא יישן תחתיו:

1) What rules about the roofing do these three mishnayot seem to emphasize? What do the Rabbis want to make sure happens?

Again, the s'khakh of the sukkah MUST be the roofing for the sukkah. Nothing is supposed to block one's ability in any part of the sukkah from from being able to look up and see through the s'khakh. Also, only NATURAL materials are allowed to be used for s'khakh and the s'khakh, even if made from a natural material, cannot completely block one's view of the sky, as it the case of the wood planks or bundles of straw.

2) Based on what you have learned here in the Mishna and what you already know, discuss some of the spiritual purposes of the Sukkah on the holiday of Sukkot. What do all of these say about humanity, God and the relationship between the two?

The key issue is vulnerability to the elements and remembering how God cared for B'nei Israel in the desert. A big part of Sukkot is recreating that experience in our own time. Therefore, the rules for building a kosher sukkah reflect the attempt to make our sukkot like those from wandering the wilderness approximately 3300 years ago. The goal is to remind ourselves of that time and feel the spirit of God in the wilderness of our sukkot, thinking about the cloud and pillar of fire that protected and guided B'nei Israel all those years ago.